

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

UNITED STATES OF AMERICA

v.

No. 4:15-MJ-288

ROBIE LYNN SIMS (01)

SECOND JOINT MOTION TO CONTINUE TIME TO INDICT

The Government and the Defendant, ROBIE LYNN SIMS, jointly request this Honorable Court to continue the time upon which an indictment must be filed for this particular case.

- (1) The Government filed a criminal complaint against the defendant on, July 8, 2015, alleging a violation of 18 U.S.C. § 1071, concealing a person from arrest.
- (2) ROBIE LYNN SIMS, appeared before the Honorable Jeffrey L. Cureton on July 13, 2015. The defendant was detained pending trial by the Honorable Jeffrey L. Cureton on July 16, 2015.
- (3) On July 16, 2015, this Court granted the parties' first continuance request, which will expire on September 17, 2015.
- (4) The parties request that the Court continue presentation of the Defendant's case to the Grand Jury for an additional 57 days. Both parties believe that with additional time in which to gather information about the Defendant

and the circumstances surrounding the events leading to the pending case, a plea agreement may be reached, thus negating the need for an indictment.

- (5) Therefore, the granting of this continuance would be in the interest of judicial economy. Both parties further believe that a continuance would serve the ends of justice and would outweigh the interest of the public in a speedy trial. *See 18 U.S.C. § 3161(h)(7)(A).*
- (6) This request is not made in effort to unduly delay the proceedings, but rather to insure that justice is achieved. The parties both believe that a failure to grant the requested continuance would deny the parties the time necessary for effective preparation, taking into account the exercise of due diligence. *See 18 U.S.C. § 3161(h)(7)(B)(iv).* As such, return of the indictment within the normal 30 day period could result in a miscarriage of justice. *See 18 U.S.C. § 3161(h)(7)(B)(I).*

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- (7) For the foregoing reasons, the parties request that this Honorable Court continue the time upon which an indictment must be filed for an additional 57 days, until on or about November 13, 2015.

Respectfully submitted,

JOHN R. PARKER  
UNITED STATES ATTORNEY

AGREED TO BY:

  
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SHAWN SMITH  
Assistant United States Attorney  
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LANCE EVANS  
Attorney for Defendant  
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ROBIE LYNN SIMS  
Defendant